



Serial No.: 10/026,063

Confirmation No.: 8576

Applicant: BALLARD, David A. *et al.*

Atty. Ref.: 11836.0727.NPUS00

REMARKS:

REMARKS REGARDING CLAIM AMENDMENTS:

The above noted amendments to the claims have been made so that the scope and language of the claims is more precise and clear in defining what the Applicants consider to be the invention. Specifically, claims 7, 21, 22, 29 and 41 have been amended so as to incorporate the language of the claims from which they each depend. This action is being taken so as to overcome the objection made by the Examiner that they are dependent upon a rejected base claim. Claims 8-11, 23-25, 30, 42-49 remain in their original form as they now depend from the aforementioned *amended* independent claims. No new matter has been added to these claims because all such limitations are already recited by reference. *See* 35 U.S.C. §112, 3rd and 4th paragraph. Support for the above amendments to claims 7, 21, 22, 29 and 41 can be found in the original specification and the original claims from which they originally depended therefrom.

Claims 1-6, 19-20, 26-28 and 31-40 have been canceled without prejudice so as to permit the allowance of otherwise allowable subject matter. Applicants generally traverse the rejections of these claims based on the prior art cited. However, in order to expedite the allowance of the otherwise allowable subject matter, the above action has been taken. Applicants reserve the right to file a continuation application so as to pursue canceled claims 1-6, 19-20, 26-28 and 31-40.



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IN RESPONSE TO THE OFFICE ACTION:

CLAIM REJECTIONS:

The Examiner has rejected claims 1-6, 19-20, 26-28 and 31-40 as being anticipated by U.S. Patent 5,981,447 (claims 19, 20, 26 and 27) and/or U.S. Patent 5,624,886 (claims 1-6, 19-20, 26-28 and 31-40). Applicants generally traverse the rejections of these claims based on the prior art cited. However, in order to expedite the allowance of the otherwise allowable subject matter, claims 1-6, 19-20, 26-28 and 31-40 have been canceled without prejudice. Applicants reserve the right to file a continuation application so as to pursue canceled claims 1-6, 19-20, 26-28 and 31-40.

CLAIM OBJECTIONS:

Original claims 7-11, 21-25, 29-30, and 41-49 have been objected to by the Examiner for being dependent upon a rejected base claim. The Examiner has indicated that these claims would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Thus, claims 7, 21, 22, 29 and 41 have been amended so as to incorporate the language of the claims from which they each depend and as amended are in independent form. Claims 8-11, 23-25, 30, 42-49 remain in their original form as they now depend from the aforementioned *amended* independent claims. No new matter has been added to these claims because all such limitations are already recited by reference. *See* 35 U.S.C. §112, 3rd and 4th paragraph. Support for the above amendments to claims 7, 21, 22, 29 and 41 can be found in the original specification and the original claims from which they originally depended therefrom. Therefore, Applicants believe that claims 7-11, 21-25, 29-30, and 41-49 are now in condition for immediate allowance.

ALLOWABLE SUBJECT MATTER:

Applicants acknowledge that the Examiner has indicated that claims 12-18 are allowable over the art of record.



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In view of the above amendments and the indicated allowable subject matter, Applicants submit that the application has been placed in condition for immediate allowance.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 11836.0727.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

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